

IDAHO BOARD OF CHIROPRACTIC PHYSICIANS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 3/20/2018

BOARD MEMBERS PRESENT: Herbert W Oliver, D.C. - Chair
Charles H Coiner
Lynn A Hansen, D.C.
Kathleen J McKay, D.C.
Shannon Gaertner-Ewing, D.C.

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Maurie Ellsworth, General Counsel
Debbie Toncray, Technical Records Specialist II

OTHERS PRESENT: Dr. J. Hollingsworth, D.C.
Dr. John Hickey, Chiropractic Intern
Dr. Tom Hickey, D.C.
Dr. Tim Klena, D.C.
Dr. James W. Kranz, D.C.
Dr. Corey Matthews, D.C.
Peter Risse, Associate Dean, Extended Studies,
Boise State University
Roger Brown, Director of Government and
Community Relations, Boise State University

ATTENDEES BY PHONE: Dr. Sara Mathov, Vice President for Operations
and Campus Planning, University of Western States
Dr. Laurence Hicks. D.C.

The meeting was called to order at 12:32 PM MDT by Herbert W Oliver, D.C.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said the pending rules have been passed by the House and the Senate and will go into effect at the end of the 2018 Legislative Session.

Mr. Ellsworth discussed Senate Bill 1316 with the Board. He said it is a bill that was proposed by Sens. Burgoyne and Den Hartog. The concept of the bill would be to allow a person or entity that is alleged to have violated the Board's laws and rules to recover attorney's fees if the person or entity was found to have not violated the Board's laws and rules. Dr. Oliver is currently the Bureau's contact to assist with this and other legislative issues.

INTERIM COMMITTEE UPDATE

Mr. Ellsworth discussed House Bill 623 with the Board. This bill would make substantial changes to the Idaho Administrative Procedure Act and the way contested cases are handled. The designated Board members from many of the Boards served by the Bureau worked on and signed a letter of response to House Bill 623, and delivered the letter to Senator Lodge. As the Bureau receives additional information, it will be provided to the Board.

OLD BUSINESS

EXECUTIVE ORDER

Ms. Cory said the Bureau is working with Dr. Oliver on a rough draft of the Executive Order.

NEW BUSINESS

REVIEW CLINICAL NUTRITION CERTIFICATION APPLICATION FORM / LICENSE TYPE

The Board reviewed and discussed revisions to the application for the new clinical nutrition certification. Dr. Gaertner-Ewing made a motion to accept the application with the modifications to questions 6 and 7. It was seconded by Dr. McKay. Motion failed. The Board discussed further revisions to the application for questions 6 and 7 so the language is in line with the law and pending rules. Dr. Hansen made a motion to accept the application with revisions to questions 6 and 7 to meet the law and rules. It was seconded by Dr. Gaertner-Ewing. Motion carried.

DR. LAURENCE HICKS, D.C. – PRACTICUM IN INTRAVENOUS AND INJECTABLE NUTRIENT THERAPY COURSE – PRESENTATION

Dr. Oliver reviewed a previous motion made in the minutes of 11/6/2017 to send a letter to Dr. Hicks regarding the accreditation requirements for the practicum course he submitted to the Board. Dr. Oliver said the letter was not sent to Dr. Hicks because the pending rules were not in place at that time and it was best to wait until the rules were passed by the Legislature.

Dr. Hicks provided an overview of the course in intravenous and injectable nutrient therapy which he said he recently taught through the Boise State University Division of Extended Studies.

DR. SARA MATHOV – UNIVERSITY OF WESTERN STATES (UWS) PROPOSAL TO IDAHO – INJECTABLES PRACTICUM COURSE SUMMARY

Dr. Mathov said she originally sent the UWS proposal to the Board in June 2017. She said that UWS was waiting for the Board's update and possible approval of the proposal. Dr. Mathov said that UWS was waiting on the Board's approval of the course previously submitted in order to develop and then offer the practicum course. Mr. Ellsworth said that pending rule 702.04 states the practicum must be

taken from an accredited chiropractic college or other accredited institution of higher education and that the practicum must be from an accredited program at the college or institution or be a program approved by the Board. Mr. Ellsworth said that the statute and proposed rule contemplates the Board approving an applicant who successfully completes a program which meets the requirements of law and pending rule. He said no further approval by the Board would be necessary.

Dr. McKay made a motion to authorize Dr. Hansen to work with educational institutions regarding practicum courses/programs that meet the laws and pending rules for clinical nutrition certification. It was seconded by Dr. Gaertner-Ewing. Motion carried. The Board directed Ms. Toncray to send the contact information for Dr. Mathov with UWS and Mr. Risse with BSU to Dr. Hansen.

CORRESPONDENCE

DR HICKS – PRACTICUM IN INTRAVENOUS AND INJECTABLE NUTRIENT THERAPY COURSE

The Board discussed the practicum course that Dr. Hicks said he offered through BSU's Extended Studies. Mr. Risse said that BSU is not at this time actively pursuing a practicum or full clinical nutrition certification program. Mr. Risse said that Dr. Hicks is not an employee or representative of BSU, did not use BSU facilities when teaching the practicum course, and has his own private professional development academy. He said that BSU's role is to validate Dr. Hicks' credentials to teach the course, validate the hours of participation in the course offered, and keep records/transcripts for participants. Mr. Risse said that Dr. Hicks could apply to be an adjunct faculty member at BSU. Mr. Ellsworth recommended that the Board wait until Dr. Hicks goes through the BSU process and is approved by BSU as an adjunct professor. Then as the Board reviews applications, it can determine if the program meets the requirements of the law and pending rule. Dr. Gaertner-Ewing said that the Board should include the review of the program on its 4/20/2018 agenda since the rules are not currently in place. The Board agreed to have Dr. Hansen work with Dr. Hicks and BSU.

UWS PROPOSAL TO IDAHO – INJECTABLES PRACTICUM COURSE

The Board discussed this with Dr. Mathov when she presented the information about the UWS proposal.

A member of the audience inquired as to how soon certifications would be issued. Ms. Cory reiterated that the purpose of today's meeting was for the Board to review and approve application forms so they could be available prior to the Board's April meeting. At that meeting, the rules should be in effect, and the Board can review applications. If the Board approves certifications, the Bureau usually can get them issued within a day or two.

DR. RIAL – CLINICAL NUTRITION CERTIFICATION QUESTION

The Board tabled the correspondence until its next meeting on 4/20/2018.

KANSAS STATE NUTRITION COURSES

Dr. Hansen said he did not have anything to add from the courses he took at Kansas State.

SCOPE OF PRACTICE – CHIROPRACTORS / ATHLETIC TRAINERS

The Board reviewed the question regarding a chiropractor's practice when he/she volunteers his/her services at athletic events and the possibility of fulfilling the role of an athletic trainer. The Board agreed to have Ms. Toncray reply to Dr. Sanford and have him refer to the laws and rules for Athletic Trainers under the Idaho Board of Medicine.

FEDERATION OF CHIROPRACTIC LICENSING BOARDS (FCLB) OCCUPATION SURVEY

The Board reviewed the request from the FCLB to respond to the Wisconsin Chiropractic Board regarding barriers to licensure. Dr. Hansen made a motion to have Dr. Oliver work with Ms. Toncray on a response to the FCLB. It was seconded by Dr. McKay. Motion carried.

NATIONAL BOARD OF CHIROPRACTIC EXAMINERS (NBCE) PART IV EXAM

The Board reviewed the information about the NBCE Part IV exam test committee in June 2018 in Greeley, CO. The Board agreed to send Dr. Gaertner-Ewing. The NBCE pays for all associated costs.

ADJOURNMENT

Dr. McKay made a motion to adjourn the meeting at 3:01 PM MDT. It was seconded by Dr. Gaertner-Ewing. Motion carried.

Herbert W Oliver, D.C., Chair

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Tana Cory, Bureau Chief